

Senate Amendment 3198

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1 1 Amend Senate File 332 as follows:
1 2 #1. Page 1, by inserting before line 1, the
1 3 following:
1 4 NEW SECTION. 38E.1 SECURE AND
1 5 VERIFIABLE IDENTIFICATION.
1 6 1. A public benefit or service of this state,
1 7 including a law enforcement service, which requires
1 8 the recipient of the public benefit or service to
1 9 produce identification, shall not be provided by a
1 10 department, agency, or any political subdivision of
1 11 this state, or other entity within the executive,
1 12 legislative, or judicial branch of this state, unless
1 13 the identification is issued by a federal or state
1 14 authority and is subject to verification by a federal
1 15 law enforcement, intelligence, or homeland security
1 16 agency.
1 17 2. An elected or appointed official, employee, or
1 18 other contractor or agent of this state or of a
1 19 political subdivision of this state who takes any
1 20 action inconsistent with subsection 1 shall be deemed
1 21 to be acting beyond the scope of authority granted by
1 22 law and shall not be immune from liability for such
1 23 action unless such immunity is conferred by the
1 24 Constitution of the United States or the Constitution
1 25 of the State of Iowa and cannot be waived.
1 26 Sec. _____. Section 43.2, unnumbered paragraph 1,
1 27 Code 2003, is amended to read as follows:
1 28 The term "political party" ~~shall mean~~ means a party
1 29 which, at the last preceding general election, cast
1 30 for its candidate for ~~president of the United States~~
1 31 ~~or for governor, as the case may be~~ any statewide
1 32 office, at least two percent of the total vote cast
1 33 for all candidates for that office at that election
1 34 or, in the alternative, which maintains registrations
1 35 with that party in a number equal to or greater than
1 36 one-half of one percent of the total number of voters
1 37 who cast ballots in the last preceding general
1 38 election. It shall be the responsibility of the state
1 39 commissioner to determine whether any organization
1 40 claiming to be a political party qualifies as such
1 41 under the foregoing definition.
1 42 Sec. _____. NEW SECTION. 43.51A PRIMARY RUNOFF
1 43 ELECTIONS.
1 44 1. If there are two or more candidates for any
1 45 nomination under section 43.52, subsection 1, or
1 46 section 43.65, and no candidate receives thirty=five
1 47 percent or more of the votes cast by voters of the
1 48 candidate's party for the office sought, but the
1 49 number of votes received by the candidate receiving
1 50 the highest number of votes cast exceeds by ten
2 1 percent or more of the total votes cast for the office
2 2 the number of votes received by the candidate
2 3 receiving the next highest number of votes cast, the
2 4 candidate receiving the highest number of votes cast
2 5 shall appear as the party's candidate for the office
2 6 on the general election ballot. If there are two or
2 7 more candidates for any nomination and no candidate
2 8 receives thirty=five percent or more of the votes cast
2 9 by voters of the candidate's party for the office
2 10 sought, and the number of votes received by the
2 11 candidate receiving the highest number of votes cast
2 12 does not exceed by ten percent or more of the total
2 13 votes cast for the office the number of votes received
2 14 by the candidate receiving the next highest number of
2 15 votes cast, the primary is inconclusive and the
2 16 nomination shall be determined in a runoff election.
2 17 The candidates receiving the highest and next highest
2 18 number of votes in the primary election are candidates
2 19 in the runoff election.
2 20 2. If under section 43.66, two or more candidates
2 21 receive at least one hundred votes, the nomination
2 22 shall be determined in a runoff election. The
2 23 candidates receiving the highest and next highest
2 24 number of votes in the primary election are candidates

2 25 in the runoff election.
2 26 3. The runoff election shall be held five weeks
2 27 after the date of the primary election and shall be
2 28 conducted in the same manner as the primary election.
2 29 The candidate receiving the highest number of votes
2 30 for a nomination in the runoff election shall be the
2 31 candidate of that party for that office in the general
2 32 election.>
2 33 #2. Page 1, line 4, by inserting before the word
2 34 the following: <1.>
2 35 #3. Page 1, line 10, by inserting after the word
2 36 the following: <,except as otherwise
2 37 provided in section 43.51A>.
2 38 #4. Page 1, line 16, by inserting before the word
2 39 the following: <2.>
2 40 #5. Page 2, line 13, by inserting after the word
2 41 the following: 2 42 elections>.
2 43 #6. Page 2, line 27, by inserting after the word
2 44 the following: <,except as otherwise
2 45 provided in section 43.51A>.
2 46 #7. Page 3, by striking lines 28 through 32, and
2 47 inserting the following: <nomination, except as
2 48 otherwise provided in section 43.51A. If no candidate
2 49 receives at least one hundred votes, the primary is
2 50 inconclusive, and the necessary nominations shall be
3 1 made in accordance with section 43.78, subsection 1.
3 2 Sec. _____. Section 43.77, subsection 2, Code 2003,
3 3 is amended to read as follows:
3 4 2. The primary election was inconclusive as to
3 5 that office because no candidate for the party's
3 6 nomination for that office received the number of
3 7 votes required by section ~~43.52, 43.53 or 43.65,~~
3 8 ~~whichever is applicable 43.66.~~>
3 9 #8. Title page, by striking lines 1 through 3, and
3 10 inserting the following: 3 11 benefits and public office, including identification
3 12 requirements for receipt of public benefits and
3 13 services, allowing greater third party ballot access
3 14 by redefining political party, and requiring runoff
3 15 elections for certain nominations to public office.>
3 16 #9. By renumbering, redesignating, and correcting
3 17 internal references as necessary.
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